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H – 3578

International Court of Justice

TC 73

INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
GB Exhibit 27
Filed 5 Dec 45

037155

REPUBLIC OF POLAND
Ministry for Foreign Affairs

OFFICIAL DOCUMENTS
CONCERNING
POLISH - GERMAN
AND
POLISH - SOVIET RELATIONS
1933-1939

THE POLISH WHITE BOOK

Published
by Authority of the Polish Government
by
ROY - PUBLISHERS
New York

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tribute to the general appeasement which is so necessary to enable the nations once more to regain the blessed path of progress and civilization.

No. 91

GB-57

ANGLO-POLISH *Agreement of Mutual Assistance*

London, August 25, 1939.

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Polish Government,

Desiring to place on a permanent basis the collaboration between their respective countries resulting from the assurances of mutual assistance of a defensive character which they have already exchanged;

Have resolved to conclude an Agreement for that purpose and have appointed as their Plenipotentiaries:

The Government of the United Kingdom of Great Britain and Northern Ireland:

The Rt. Hon. Viscount Halifax, K.G., G.C.S.I., G.C.I.E., Principal Secretary of State for Foreign Affairs;

The Polish Government:

His Excellency Count Edward Raczyński, Ambassador Extraordinary and Plenipotentiary of the Polish Republic in London;

Who, having exchanged their Full Powers, found in good and due form, have agreed on the following provisions:—

ARTICLE 1

SHOULD one of the Contracting Parties become engaged in hostilities with a European Power in consequence of aggression by the latter against that Contracting Party, the other Contracting Party will at once give the Contracting Party engaged in hostilities all the support and assistance in its power.

ARTICLE 2

(1) THE provisions of Article 1 will also apply in the event of any action by a European Power which clearly threatened, directly or indirectly, the independence of one of the Contracting Parties, and was of such a nature that the Party in question considered it vital to resist it with its armed forces.

(2) Should one of the Contracting Parties become engaged in hostilities with a European Power in consequence of action by that Power which threatened the independence or neutrality of another European State in such a way as to constitute a clear menace to the security of that Contracting Party, the provisions of Article 1 will apply, without prejudice, however, to the rights of the other European State concerned.

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ARTICLE 3

Should a European Power attempt to undermine the independence of one of the Contracting Parties by processes of economic penetration or in any other way, the Contracting Parties will support each other in resistance to such attempts. Should the European Power concerned thereupon embark on hostilities against one of the Contracting Parties, the provisions of Article 1 will apply.

ARTICLE 4

The methods of applying the undertakings of mutual assistance provided for by the present Agreement are established between the competent naval, military and air authorities of the Contracting Parties.

ARTICLE 5

Without prejudice to the foregoing undertakings of the Contracting Parties to give each other mutual support and assistance immediately on the outbreak of hostilities, they will exchange complete and speedy information concerning any development which might threaten their independence and, in particular, concerning any development which threatened to call the said undertakings into operation.

ARTICLE 6

(1) The Contracting Parties will communicate to each other the terms of any undertakings of assistance against aggression which they have already given or may in future give to other States.

(2) Should either of the Contracting Parties intend to give such an undertaking after the coming into force of the present Agreement, the other Contracting Party shall, in order to ensure the proper functioning of the Agreement, be informed thereof.

(3) Any new undertaking which the Contracting Parties may enter into in future shall neither limit their obligations under the present Agreement nor indirectly create new obligations between the Contracting Party not participating in these undertakings and the third State concerned.

ARTICLE 7

Should the Contracting Parties be engaged in hostilities in consequence of the application of the present Agreement, they will not conclude an armistice or treaty of peace except by mutual agreement.

ARTICLE 8

(1) The present Agreement shall remain in force for a period of five years.

(2) Unless denounced six months before the expiry of this period it shall continue in force, each Contracting Party having thereafter the right to denounce it at any time by giving six months' notice to that effect.

(3) The present Agreement shall come into force on signature.

In faith whereof the above-named Plenipotentiaries have signed the present Agreement and have affixed thereto their seals.

Done in English in duplicate, at London, the 25th August, 1939. A Polish text shall subsequently be agreed upon between the Contracting Parties and both texts will then be authentic.

(L.S.) HALIFAX.
(L.S.) EDWARD RACZYŃSKI.

No. 92

MINUTE *of Count Szembek's conversation with M. Noël*

Warsaw, August 26, 1939.

THE French Ambassador told me that in Chancellor Hitler's conversation with Sir Nevile Henderson, the Chancellor declared that he could no longer tolerate the mosaic of nationalities which exists on Germany's eastern frontier. In reply to this Sir Nevile suggested an exchange of populations. The Chancellor made no answer to this suggestion.

M. Noël was instructed by the French Government to urge on us very strongly the idea of such an exchange of populations. The French Government was very anxious that the Polish Government should not take a negative attitude to this plan, which obviously must be based on maintenance of the present territorial *status quo*.

After referring the question to M. Beck I asked the French Ambassador to call again in the afternoon, and made the following statement:

"The suggested exchange of populations was of interest to us. The Polish Government did not reject the idea in advance, but could not take the initiative with the German Government, as it did not seem tactically advisable. If, however, a third party, friendly to Poland, could sound the German Government on the matter, our attitude would certainly not be a negative one. The Polish Ambassador in Berlin would receive instructions not to avoid conversations on the subject of an exchange of populations, and even, eventually—so far as he had appropriate channels through which to do so—to propagate the idea.[1]

The French ambassador took cognizance of my declaration with obvious pleasure. He then discussed with me the question as to who, in Berlin, should take up the initiative. He told me that he would suggest to the Quai d'Orsay that M. Coulondre should get into touch with M. Lipski on this matter.

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[1] Ambassador Lipski received the relevant instruction by telegram on August 26, 1939.

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TC-73-91

GB-57

OFFICE OF U.S. CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date : 2 August 1948

I certify that Document Number TC-73 was introduced into evidence as Exhibit Number GB-57 in the Trial by the International Tribunal of Hermann GOERING, et al, which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall
Fred NIEBERGALL
Chief, Document
Control Branch.

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CERTIFICATE

I hereby certify that the annexed document TC-43 No. GB-54 is a photostat of an original document submitted in evidence by the Britisch Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the OCCWC Evidence Library, Palace of Justice, Nuremberg

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military Tribunal

Nuremberg, 28 July 1948

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